

JAN 12 2005



Ralph E. Jocke  
Patent  
&  
Trademark Law

**FACSIMILE TRANSMISSION COVER SHEET**

TRANSMITTING: 3 PAGES (INCLUDING THIS PAGE)

NAME: Art Unit 3621  
Commissioner for Patents  
U.S. Patent and Trademark Office

FAX NUMBER: (703) 872-9306

DATE: January 12, 2005

SENDER: Ralph E. Jocke, Esq.

FAX NUMBER: (330) 722-6446

PHONE NUMBER: (330) 721-0000

**BEST AVAILABLE COPY**

COMMENTS: Please refer to the attached **Comments on the Substance of Interview** for Application 09/638,848.

If you do not receive all pages, contact the sender **IMMEDIATELY** at the number listed below.

The information contained in this facsimile message is confidential and intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited and will be considered a tortious interference in our confidential business relationships. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the address below via the U.S. Postal Service. Thank you.

**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(b) AND 1.6(d)****TRANSMISSION**

I hereby certify that, on the date shown below, this correspondence is being transmitted by facsimile transmission to the Patent and Trademark Office at (703) 872-9306.

Date: January 12, 2005

  
Ralph E. Jocke330 • 721 • 0000  
MEDINA330 • 725 • 1669  
CLEVELAND330 • 722 • 6446  
FACSIMILEroj@walkerandjocke.com  
E-MAIL

231 South Broadway, Medina, Ohio U.S.A. 44256-2601

JAN 12 2005



Ralph E. Jocke  
Patent  
&  
Trademark Law

January 12, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop AF  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Attn: Art Unit 3621  
Patent Examiner Pierre E. Elisca

Re: Application Serial No.: 09/638,848  
Confirmation No.: 9773  
Applicants: Jay Paul Drummond, et al.  
Title: Automated Banking Machine  
Development Method  
Docket No.: D-1077+17

Sir:

Kindly enter Applicants' comments without prejudice as follows:

330 • 721 • 0000  
MEDINA

330 • 225 • 1669  
CLEVELAND

-1-

330 • 722 • 6446  
FACSIMILE

rcj@walkerandjocke.com  
E-MAIL

231 South Broadway, Medina, Ohio U.S.A. 44256-2601

**Comments on the Substance of the Interview**

An interview was conducted on January 12, 2005 between Examiner Pierre E. Elisca and a representative (Daniel Wasil, Reg. No. 45,303) of Applicants. The Examiner and Applicants' representative reached an agreement to have all finally rejected claims canceled by Examiner's amendment. Only allowed claims 27, 29-30, and 34-38 would remain pending. It was agreed that the Examiner's amendment would place the application in condition for allowance.

**Other Comments**

Applicants continue to respectfully traverse the claim rejections in the Office Action dated October 12, 2004. Nevertheless, the cancellation of claims by Examiner's amendment was requested without prejudice to facilitate early allowance and issue. The cancellation of a claim shall not constitute an admission that the canceled claim is unpatentable in any manner. Applicants do not intend to dedicate any of the canceled subject matter to the public. Applicants reserve all rights to file another application (e.g., a continuation application and/or divisional application) relating to any claim.

Respectfully submitted,



Ralph E. Jocke Reg. No. 31,029  
WALKER & JOCKE  
231 South Broadway  
Medina, Ohio 44256  
(330) 721-0000

**This Page is Inserted by IFW Indexing and Scanning  
Operations and is not part of the Official Record**

**BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ BLACK BORDERS
- ☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
- ☐ FADED TEXT OR DRAWING
- ☐ BLURRED OR ILLEGIBLE TEXT OR DRAWING
- ☐ SKEWED/SLANTED IMAGES
- ☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS
- ☐ GRAY SCALE DOCUMENTS
- ☒ LINES OR MARKS ON ORIGINAL DOCUMENT
- ☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
- ☐ OTHER: \_\_\_\_\_

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.**